

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ZiLOG, Inc.,

No. C-03-03725 JW

Plaintiff,

PATENT SCHEDULING ORDER

v.

Quicklogic Corporation,

Defendant.

The Court conducted a Case Management Conference on September 11, 2006. Present were Albert Bedecarre of Quinn Emanuel for ZiLOG, and G. Hopkins Guy III of Orrick for QuickLogic. The Court orders as follows:

A. Initial Disclosures

1. No later than **September 21, 2006**, ZiLOG must serve on all parties a Disclosure of Asserted Claims and Preliminary Infringement Contentions and must make available for inspection and copying the documents described in Patent L.R. 3-2.

2. No later than **November 6, 2006**, QuickLogic shall serve on all parties Preliminary Invalidity Contentions and must produce and make available for inspection and copying the documents described in Patent L.R. 3-4.

3. No later than 30 days after the Court issues its Claim Construction Ruling, ZiLOG must serve on all parties its Final Infringement Contentions pursuant to Patent L.R. 3-6(a).

4. No later than 20 days after service of the Final Infringement Contentions, QuickLogic must serve on all parties Final Invalidity Contentions pursuant to Patent L.R. 3-6(b).

B. Claim Construction Proceedings

5. No later than **November 16, 2006**, all parties must serve on all other parties Proposed Terms and Claim Elements for Construction pursuant to Patent L.R. 4-1.

6. No later than **December 6, 2006**, all parties must serve on all other parties Preliminary Claim Constructions and Extrinsic Evidence pursuant to Patent L.R. 4-2.

7. No later than **January 6, 2006**, the parties must file a Joint Claim Construction Statement and Prehearing Statement pursuant to Patent L.R. 4-3. The statement shall be presented in the following chart format:

Disputed Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
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The parties shall express their proposed construction in a manner suitable for incorporation into a jury instruction.

8. Pursuant to Patent L.R. 4-4, all discovery, including depositions of expert witnesses, relating to claim construction must be completed by **February 6, 2007**.

9. The Court will hold a Claim Construction Hearing on **February 9, 2007** from **9 AM to 12 noon**. At the hearing the Court will consider only intrinsic evidence to interpret the disputed claims, i.e., the claims themselves, the written description portion of the specification and the prosecution history. Pertinent portions of the intrinsic evidence should be highlighted and indexed to the disputed claim language. No testimony will be allowed, unless the Court orders otherwise, based upon a timely motion noticed for hearing at least 10 days prior to the Claim Hearing by any party wishing to present testimony.

10. Notwithstanding Patent L.R. 4-5, the parties shall comply with the following briefing schedule:

1 a. Opening Brief: ZiLOG must serve and file its opening brief and supporting
2 evidence on or before **January 4, 2007**. Accompanying the brief must be a proposed jury
3 instruction which incorporates the language which the party contends should be adopted in
4 construing the claims.

5 b. Responsive Brief: QuickLogic must serve and file its responsive brief and
6 supporting evidence on or before **January 19, 2007**. Accompanying the brief must be a
7 proposed jury instruction which incorporates the language which the party contends should
8 be adopted in construing the claims.

9 c. Reply Brief: ZiLOG must serve and file any reply brief and supporting
10 evidence on or before **January 26, 2007**.

11 **C. Further Case Management Order**

12 11. At the conclusion of the Claim Construction Hearing, the Court will set a date and time
13 for a further Case Management Conference to schedule subsequent events in the case.

14 **D. Procedure Regarding Dispositive Motions in Patent Cases**

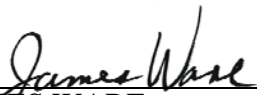
15 12. Prior to filing any dispositive motion, the moving party must first advise the Court and
16 opposing counsel of its intention to do so by filing and serving a request for a case management
17 conference regarding dispositive motion(s). The request must outline the undisputed factual basis
18 and legal basis of the proposed motion(s) and a proposed briefing and hearing schedule. The Court
19 may schedule a case management conference to establish the schedule for briefing and hearing the
20 motion(s) in an orderly and efficient manner or may issue an order adopting the schedule proposed
21 by the parties.

22 **E. Electronic Storage of Exhibits**

23 13. This Court has available a digital and video electronic evidence presentation system.
24 The parties are ordered to familiarize themselves with the system, and to meet and confer about
25 whether the case will involve voluminous documentation. If so, as the parties identify documentary
26 material which is likely to be used as trial exhibits, the parties are ordered to electronically store
27 these materials in a fashion which will facilitate displaying them electronically during the trial. The
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1 parties are reminded that Civil L.R. 30-2(b) requires sequential numbering of exhibits during
2 depositions and that numbering must be maintained for those exhibits throughout the litigation.
3 Each proposed exhibit shall be pre-marked for identification. All exhibits shall be marked with
4 numerals. The parties shall meet and confer on a division which will avoid duplication (e.g.,
5 Plaintiff: 1-99,000; Defendant #1: 100,000-299,999; Defendant #2: 300,000-500,000).

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7 Dated: September 14, 2006



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Albert P. Bedecarre albedecarre@quinnemanuel.com
3 David Eiseman davideiseman@quinnemanuel.com
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6 George Hopkins Guy hopguy@orrick.com
7 Monte M.F. Cooper mcooper@orrick.com

8 **Dated: September 14, 2006**

Richard W. Wieking, Clerk

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11 By: /s/ JW Chambers
12 **Elizabeth Garcia**
13 **Courtroom Deputy**
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